

Appl. No. : 10/078,283
Filed : February 14, 2002

REMARKS

In the Office Action, Claims 6, 9, 19-31 and 47 were rejected over the prior art as discussed below. Claim 46 was objected to as being dependent upon a rejected base claim but otherwise allowable. In this Amendment, Claims 6, 21-26, 30, 31, and 46 have been amended, Claims 48-54 have been added, and Claims 19, 20, and 37-45 have been canceled. Claims 6, 9, 21-31, 46-54 remain pending for further consideration. No new matter has been added with these amendments.

Personal Interview

Applicant thanks Examiner Bockelman for the courteous and helpful personal interview conducted on November 29, 2006 (summarized above).

Information Disclosure Statement

On brief review of the file history of the present application, Applicant notes that an Information Disclosure Statement (IDS) was filed concurrently with the filing of this application on February 14, 2002. Applicant presumes these references have been considered by the Examiner, but Applicant has not yet received a copy of this IDS that has been initialed by the Examiner to indicate his consideration. A copy of the IDS as filed February 14, 2002 is available on the Image File Wrapper, but can be provided upon request by the Examiner.

Objections to the Specification

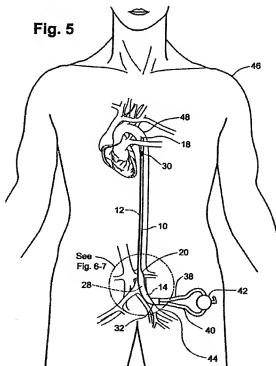
The Examiner objects to the proposed amendments to the specification, stating that the proposed amendments filed introduced new matter. As noted above in the sections entitled "Amendments to the Specification" and "Amendments to the Drawings," Applicant withdraws the request to amend the specification and drawings. The request is being withdrawn to expedite allowance and not because the proposed amendments add new matter. Accordingly, Applicant requests that the Examiner withdraw the objection to the specification.

Discussion of One Non-Limiting Technique

The application as filed discloses various catheters that can be used in treating a patient. For example, in one non-limiting technique, any of the various catheters described in the

application can be inserted into a peripheral blood vessel of the patient. For example, as illustrated in Figure 5, reproduced below, the catheter 10 can be inserted into the femoral artery of a patient. The catheter 10 can be advanced within the vasculature until the first lumen 12 is in fluid communication with a first extracardiac vascular location and the second lumen 14 is in fluid communication with a second extracardiac vascular location remote from the first extracardiac vascular location. In the technique illustrated by Figure 5, the first extracardiac vascular location is in the aortic arch and the second extracardiac vascular location is near the bottom of the aorta. Fluid communication can be provided between the first lumen 12 and a pump 42 and between a second lumen 14 and the pump 42. An amount of blood can be withdrawn from the second extracardiac vascular location through the second lumen 14 and thereafter delivered to the first extracardiac vascular location through the first lumen 12. As described in connection with the embodiment of the catheter 410 illustrated in Figure 8, the method can also include redirecting substantially all of the blood exiting the first lumen in substantially the opposite direction of the flow in the first lumen.

Fig. 5



Rejections In View of Pilgrim

Claims 6, 21-25 and 47 were rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,902,418 to Pilgrim. Claims 9 and 26-31 were rejected as obvious in view of Pilgrim.

Applicant disagrees with the rejections, but has made amendments herein to expedite allowance. For example, Claim 6 has been amended to recite a multilumen catheter for directing the flow of blood through a patient through a single cannulation site, said catheter comprising, inter alia, a “redirecting tip positioned at [a] distal end of one of the lumens, the redirecting tip comprising at least one outlet in a side of the lumen and an internal flow redirecting surface extending from adjacent to a central longitudinal axis of the lumen to a distal portion of the outlet, the redirecting surface having an apex located between the longitudinal axis and the outlet, the redirecting surface being configured to redirect substantially all of the blood flow exiting said lumen in a direction generally opposite of the direction of flow in the lumen.”

Pilgrim does not disclose, for example, and an internal flow redirecting surface extending from adjacent to a central longitudinal axis of the lumen to a distal portion of an outlet, the redirecting surface having an apex located between the longitudinal axis and the outlet. Also, Pilgrim does not contemplate use in the vasculature to direct blood between vascular locations. In contrast, Pilgrim discloses an instrument for flushing or washing of body organs that is adapted for veterinary practice. Page 1, lines 1-4. Pilgrim performs flushing or washing by connecting with “a city water supply, or with a gravity or pressure feed for a medicant, anti-ferment, or the like.” Page 2, lines 30-32.

Accordingly, Claim 6 is allowable over Pilgrim for at least the reasons noted above. Claims 9, 21-31, 46, and 47 depend from Claim 6 and recite further novel and nonobvious limitations thereon. Therefore, Claims 9, 21-31, 46, and 47 are allowable for at least the reasons discussed above with respect to Claim 6.

New Claims

Claims 48-54 have been added to further claim Applicant’s invention. Claim 49 is also directed to a multilumen catheter and is allowable for reasons similar to those discussed in connection with Claim 6. Claim 50 is directed to a method similar to that discussed above in

Appl. No. : 10/078,283
Filed : February 14, 2002

connection with Figure 5 and is allowable over Pilgrim for the reasons discussed, e.g., because Pilgrim does not contemplate fluid communication with the vasculature, particularly with multiple extracardiac vascular locations that are remote from each other. No new matter has been added by the presentation of these claims.

CONCLUSION


In view of the foregoing, Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. If, however, any questions remain, the Examiner is cordially invited to contact the undersigned so that any such matter may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 9, 2006

By: 
Andrew M. Douglas
Registration No. 51,212
Attorney of Record
Customer No. 20,995
(949) 760-0404